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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *12/16/05 & 12/19/05*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-36* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has amended claims 1, 8, 10-13, 20, 23, 30-34 in the amendment filed on

12/16/2005 & 12/19/2005.

Claims 1-36 are pending in this Office Action.

Applicant's arguments with respect to claims 1-36 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-4, 7, 9, 13-16, 19, 21, 23-26, 29, 31 and 35 are rejected under 35

U.S.C. 102(e) as being anticipated by Boyden et al (or hereinafter "Boyden")

(US2003/0036964 A1).

As to claim 1, Boyden teaches a method of generating a listing in a network-

based commerce system (generating data in fields 218-220 in a network based

commerce system, page 4, col. Right, lines 17-23; page 3, paragraph [0024], lines 4-

10), the method including:

"receiving listing identification data from a user" as the input section 202 can

include a search tool 204 having input fields 205 and a button 206 to search for vehicles

in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an example of a

vehicle work sheet page 200b to modify data for a vehicle that was already on the list

201 of the work list page 200a. The vehicle data includes 213 and 214. The above

information shows that to display the vehicle data as shown in fig. 2B, the system

receives VIN from a user and retrieves the a specific vehicle based on the inputted VIN

by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9);

"retrieving listing data based on the listing identification data" as the input section

202 can include a search tool 204 having an input fields 205 and a button 206 to search

for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an

example of a vehicle work sheet page 200b to modify data for a vehicle that was

already on the list 201 of the work list page 200a. The vehicle data includes 213 and

214. The above information shows that to display the vehicle data as shown in fig. 2B,

the system receives VIN from a user and retrieves the a specific vehicle based on the

inputted VIN by the user (figs. 2A & 2B, page 4, col. Left, lines 2-7; page 4, paragraph

[0032], lines 1-9);

"generating a proposed listing to include the listing data" as displaying a page

includes data 213 and 214. The page is represented as a proposed listing (fig. 2B,

page 4, paragraph [0032], lines 1-3);

"prior to posting the listing, allowing the user to modify the listing data of the

proposed listing" as prior to posting or sending the data entered in fields 218-220 to a

database in the auction server system, the system allows the user to edit the vehicle

data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle

configuration, 2. Modify condition report, 3. Update mileage & pricing (figs. 2B & 2C,

page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

"resulting in the listing" as after the user edits vehicle data and clicks on update

icon, the system indicates Mileage & pricing of the vehicle data are updated (fig. 2C

page 4, paragraph [0033], lines 1-10);

"posting the listing in a database of the network-based commerce system" as

sending the data entered in the fields 218-220 to a data-record for the vehicle in the

auction server system. More specifically, the seller system sends the data entered in the

fields to a database in the auction server (page 4, col. Right, lines 17-23);

"wherein the listing, once posted, represents an offering of a good or service" as

the seller sends the data entered in the fields to a data-record for the vehicle in the

auction server system. Then the auction server system provides a report 300e to a

buyer system. The report 300e includes data about the vehicle from the data-record in

the auction server database. The above information shows that once the entered data

in the fields posted in the data-record, the server retrieves the entered data to represent

an offering of a good or details of a vehicle as displayed in the report 300e to the buyer

(fig. 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

As to claim 2, Boyden teaches the claimed limitation "which includes allowing the

user to accept the listing, prior to posting the listing" as allowing a user to update or

cancel updating the data record for the specific vehicle. The above information indicates

that the system allows a user to accept the data record or deny the data record before

posting the data record to the server (page 4, paragraph [0033], lines 6-10; page 4, col.

Right, lines 17-23).

As to claims 3 and 25, Boyden teaches the claimed limitation "wherein the

network-based commerce includes a database of listing data associated with at least

one of movies, music, games, books and motor vehicles" as a database of listing data

associated with motor vehicle (figs. 2A & 2E, page 4, col. right, lines 17-23).

As to claims 4, and 16, Boyden teaches the claimed limitation "which includes:

generating a user interface with a plurality of fields; and populating the fields with the

listing data" as generating a web page with a plurality of fields 304 and populating the

fields 304 with the vehicle data (fig. 3A-3B, page 5, paragraph [0041], lines 15-22).

As to claims 7, 19 and 29, Boyden teaches the claimed limitation "wherein the

listing data includes at least one of a title of the listing, a description of the listing, and

an image related to the listing" as vehicle data includes vehicle description (fig. 3A).

As to claim 9, Boyden teaches claimed limitation "wherein the listing identification

data is a Vehicle Identification Number (VIN), the method including retrieving listing data

including one of a model year of the vehicle, a manufacturer of the vehicle, a number of

doors of the vehicle, and an engine capacity of the vehicle" as a Vehicle Identification

Number (fig. 2A), retrieving vehicle data includes model of year of the vehicle (fig. 3A,

page 5, paragraph [0042]).

As to claim 13, Boyden teaches a machine-readable medium including a

sequence of instructions that, when executed by a machine (the auction server system

displays a seller work-list web page 200a in response to a request from a seller system.

The above information indicates that the server system has included a computer

readable medium, which includes instructions for responding to seller's request, page 3,

paragraph [0030], lines 1-4; page 12, col. Right, lines 5-7), "cause the machine to:

receive listing identification data from a user requesting posting of a listing on a

network-based commerce system" as the input section 202 can include a search tool

204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by

Vehicle Identification Number (VIN). Fig 2B shows an example of a vehicle work sheet

page 200b to modify data for a vehicle that was already on the list 201 of the work list

page 200a before posting to a server. The vehicle data includes 213 and 214. The

above information shows that to display the vehicle data as shown in fig. 2B, the system

receives VIN from a user and retrieves the a specific vehicle based on the inputted VIN

by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9;

page 4, col. Right, lines 17-23);

"retrieve listing data based on the listing identification data" as the input section

202 can include a search tool 204 having an input fields 205 and a button 206 to search

for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an

example of a vehicle work sheet page 200b to modify data for a vehicle that was

already on the list 201 of the work list page 200a. The vehicle data includes 213 and

214. The above information shows that to display the vehicle data as shown in fig. 2B,

the system receives VIN from a user and retrieves the a specific vehicle based on the

inputted VIN by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032],

lines 1-9);

"generate a proposed listing to include the listing data" as displaying a page

includes data 213 and 214. The page is represented as a proposed listing (fig. 2B,

page 4, paragraph [0032], lines 1-3);

"prior to the listing being posted, allow the user to modify the listing data in the

proposed listing" as prior to posting or sending the data entered in fields 218-220 to a

database in the auction server system, the system allows the user to edit the vehicle

data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle

configuration, 2. Modify condition report, 3. Update mileage & pricing (figs. 2B & 2C,

page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

"resulting in the listing" as after the user edits vehicle data and clicks on update

icon, the system indicates Mileage & pricing of the vehicle data are updated (fig. 2c,

page 4, paragraph [0033], lines 1-10);

"post the listing in a database of the network-based commerce system" sending

the data entered in the fields 218-220 to a data-record for the vehicle in the auction

server system. More specifically, the seller system sends the data entered in the fields

to a database in the auction server (page 4, col. Right, lines 17-23);

"wherein the listing, once posted, represents an offering of a good or service" as

the seller sends the data entered in the fields to a data-record for the vehicle in the

auction server system. Then the auction server system provides a report 300e to a

buyer system. The report 300e include data about the vehicle from the data-record in

the auction server database. The above information shows that once the entered data

in the fields posted in the data-record, the server retrieves the entered data to represent

an offering of a good or details of a vehicle as displayed in the report 300e to the buyer

(fig. 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

As to claim 14, Boyden teaches the claimed limitation " wherein the user is

allowed to accept the listing, prior to posting the listing" as allowing a user to update or

cancel updating the data record for the specific vehicle or canceling the data update

(page 4, paragraph [0033], lines 6-10).

As to claim 15, Boyden teaches the claimed limitation "wherein the network-

based commerce system includes a database of listing data associated with at least

one of movies, music, games, books and motor vehicles" as a database of listing data

associated with motor vehicle (figs. 2A & 2E, page 4, col. right, lines 17-23).

As to claims 21 and 31, Boyden teaches claimed limitation "wherein the listing

identification data is a Vehicle Identification Number (VIN) of a vehicle, the listing data

includes one of a model year of the vehicle, a manufacturer of the vehicle, a number of

doors of the vehicle, and an engine capacity of the vehicle" as a Vehicle Identification

Number (fig. 2A), retrieving vehicle data includes model of year of the vehicle (fig. 3A,

page 5, paragraph [0042]).

As to claim 23, Boyden teaches a network-based commerce system, which

includes at least one server (an electronic auction server system is linked to sellers and

buyer systems, page 3, paragraph [0024], lines 8-9):

"receive listing identification data from a user requesting posting of a listing on a

network-based commerce system" as the input section 202 can include a search tool

204 having an input fields 205 and a button 206 to search for vehicles in the list 201 by

Vehicle Identification Number (VIN). Fig 2B shows an example of a vehicle work sheet

page 200b to modify data for a vehicle that was already on the list 201 of the work list

page 200a before posting to a server. The vehicle data includes 213 and 214. The

above information shows that to display the vehicle data as shown in fig. 2B, the system

receives VIN from a user and retrieves the a specific vehicle based on the inputted VIN

by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032], lines 1-9;

page 4, col. Right, lines 17-23);

"retrieve listing data based on the listing identification data" as the input section

202 can include a search tool 204 having an input fields 205 and a button 206 to search

for vehicles in the list 201 by Vehicle Identification Number (VIN). Fig 2B shows an

example of a vehicle work sheet page 200b to modify data for a vehicle that was

already on the list 201 of the work list page 200a. The vehicle data includes 213 and

214. The above information shows that to display the vehicle data as shown in fig. 2B,

the system receives VIN from a user and retrieves the a specific vehicle based on the

inputted VIN by the user (fig. 2A, page 4, col. Left, lines 2-7; page 4, paragraph [0032],

lines 1-9);

"generate a proposed listing to include the listing data" as displaying a page

includes data 213 and 214. The page is represented as a proposed listing (fig. 2B,

page 4, paragraph [0032], lines 1-3);

"prior to the listing being posted, allow the user to modify the listing data in the

proposed listing" as prior to posting or sending the data entered in fields 218-220 to a

database in the auction server system, the system allows the user to edit the vehicle

data of the page 200b in fig. 2B by clicking on either links such as 1. Modify vehicle

configuration, 2. Modify condition report, 3. Update mileage & pricing (figs. 2B & 2C,

page 4, paragraph [0032], lines 1-21, col. Right, lines 17-23);

"resulting in the listing" as after the user edits vehicle data and clicks on update

icon, the system indicates Mileage & pricing of the vehicle data are updated (fig 2C,

page 4, paragraph [0033], lines 1-10);

"post the listing in a database of the network-based commerce system" as

sending the data entered in the fields 218-220 to a data-record for the vehicle in the

auction server system. More specifically, the seller system sends the data entered in the

fields to a database in the auction server (page 4, col. Right, lines 17-23);

"wherein the listing, once posted, represents an offering of a good or service" as

the seller sends the data entered in the fields to a data-record for the vehicle in the

auction server system. Then the auction server system provides a report 300e to a

buyer system. The report 300e include data about the vehicle from the data-record in

the auction server database. The above information shows that once the entered data

in the fields posted in the data-record, the server retrieves the entered data to represent

an offering of a good or details of a vehicle as displayed in the report 300e to the buyer

(fig 3E, page 4, col. Right, lines 17-23; page 6, col. Left, lines 1-10).

As to claim 24, Boyden teaches the claimed limitation "which allows the user to

accept the listing prior to posting the listing" as allowing a user to update or cancel

updating the data record for the specific vehicle. The above information indicates that

the system allow a user to accept the data record or deny the data record before

posting the data record to the server (page 4, paragraph [0033], lines 6-10; page 4, col.

Right, lines 17-23).

As to claim 26, Boyden teaches the claimed limitation "the server generates a

user interface with a plurality of fields; and populating the fields with the listing data" as

generating a web page with a plurality of fields 304 and populating the fields 304 with

the vehicle data (fig. 3A-3B, page 5, paragraph [0041], lines 1-10).

As to claim 35, Boyden teaches the claimed limitation "the offering includes an

auction listing" as showing pricing or sale listing for vehicles (fig. 3B).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 5, 6, 17-18 and 27-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Boyden et al (or hereinafter "Boyden") (US 2003/0036964 A1) in view

of Erdelyi (US 6631522).

As to claim 5, Boyden does not explicitly disclose the claimed limitation, "which

includes providing a plurality of check boxes each of which are associated with an

attribute of the listing and automatically without human intervention checking attributes

based on the listing data". Erdelyi teaches that after a user selects the name of a player

in the scrollable list to display that player's information in the player Information box.

The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Erdelyi's teaching of after a user selects the name of a

player in the scrollable list to display that player's information in the player Information

box to Boyden's system in order to save time for a user to fill out detail information

about a item during searching/retrieving the item in a large database on a network

system.

As to claim 6, Boyden does not explicitly teach the claimed limitation "which includes allowing the user to modify checks in the check boxes". Erdelyi teaches a user can modify a check box that associated with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of a user can modify a check box that associated with a attribute Boyden's system in order to allow a user to view a specific feature of a item as user's desire.

As to claim 17, Boyden does not explicitly teach the claimed limitation "wherein a plurality of check boxes are provided, each check box being associated with an attribute of the listing and selectively being automatically checked based on the listing data without human intervention". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a player in the scrollable list to display that player's information in the player Information box to Boyden's system in order to save time for a user to fill out detail information about a item during searching/retrieving the item in a large database on a network system.

As to claim 18, Boyden does not explicitly teach the claimed limitation "wherein the user is allowed to modify checks in the check boxes". Erdelyi teaches a user can modify a check box that associated with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of a user can modify a check box that associated with a attribute to Boyden's system in order to allow a user to view a specific feature of a item as user's desire.

As to claim 27, Boyden does not explicitly disclose the claimed limitation, "which provides a plurality of check boxes each of which are associated with an attribute of the listing and automatically without human intervention checking attributes based on the listing data". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a player in the scrollable list to display that player's information in the player Information box to Boyden's system in order to save time for a user to fill out detail information about a item during searching/retrieving the item in a large database on a network system.

As to claim 28, Boyden does not explicitly teach the claimed limitation "which allows the user to modify checks in the check boxes". Erdelyi teaches a user can modify a check box that associated with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of a user can modify a check box that associated with a attribute to Boyden's system in order to allow a user to view a specific feature of a item as user's desire.

6.   Claims 8, 20 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US 2003/0036964 A1) in view of Linden et al (or hereinafter "Linden") (US 6266649).

As to claim 8, Boyden does not explicitly teach the claimed limitations "searching a database of reference listing data to locate at least one similar listing; presenting the at least one similar listing to the user; monitoring user selection of a similar listing; retrieving selected listing data associated with the similar listing to generate the listing".

Linden teaches the claimed limitations:

"searching a database of reference listing data to locate at least one similar listing" as to generate a set of recommendations for a given user, the service retrieves from the table the similar items lists corresponding to items already known to be of interest to the user, and then appropriately combines these lists to generate a list of recommended items. The above information shows that the table is searched for retrieving the similar items lists corresponding to items already known to be of interest

to the user. The set of recommendations is represented as at least one similar listing (col. 3, lines 7-10);

"presenting the at least one similar listing to the user" as displaying the a set of recommendations to a user (fig. 6);

"monitoring user selection of a similar listing" as the user can select a link associated with one of the recommended items to view the product information page for that item. The above information shows that user selection is monitored; thus the user can view the product information page for that item (col. 15, lines 53-57);

"retrieving selected listing data associated with the similar listing to generate the listing" as the user can select a link associated with one of the recommended items to view the product information page for that item. The above information shows the product information is retrieved to generate the page. The product information is associated with the recommended items. The above information shows that user's selection is monitored; thus the user can view the product information page for that item. The product information page is represented as the listing (col. 15, lines 53-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Linden's teaching of generating a set of recommendations for a given user by retrieving from the table the similar items lists corresponding to items already known to be of interest to the user, displaying the set of recommendations and select a link associated with one of the recommended items to view the product information page for that item and selecting a link associated with one of the recommended items to view the product information page for that item to

Boyden's system in order to save time for searching a particular type or category of item

and further to provide the most relevance information based on user's selection.

As to claim 20, Boyden does not explicitly teach the claimed limitations "search a

database of reference listing data to locate at least one similar listing; present the at

least one similar listing to the user; monitor user selection of a similar listing; retrieve

selected listing data associated with the similar listing to generate the listing".

Linden teaches the claimed limitations:

"search a database of reference listing data to locate at least one similar listing"

as to generate a set of recommendations for a given user, the service retrieves from the

table the similar items lists corresponding to items already known to be of interest to the

user, and then appropriately combines these lists to generate a list of recommended

items. The above information shows that the table is searched for retrieving the similar

items lists corresponding to items already known to be of interest to the user. The set of

recommendations is represented as at least one similar listing (col. 3, lines 7-10);

"present the at least one similar listing to the user" as displaying the a set of

recommendations to a user (fig. 6);

"monitor user selection of a similar listing" as the user can select a link

associated with one of the recommended items to view the product information page for

that item. The above information shows that user selection is monitored; thus the user

can view the product information page for that item (col. 15, lines 53-57);

"retrieve selected listing data associated with the similar listing to generate the listing" as the user can select a link associated with one of the recommended items to view the product information page for that item. The above information shows the product information is retrieved to generate the page. The product information is associated with the recommended items. The above information shows that user's selection is monitored; thus the user can view the product information page for that item. The product information page is represented as the listing (col. 15, lines 53-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Linden's teaching of generating a set of recommendations for a given user by retrieving from the table the similar items lists corresponding to items already known to be of interest to the user, displaying the set of recommendations and select a link associated with one of the recommended items to view the product information page for that item and selecting a link associated with one of the recommended items to view the product information page for that item to Boyden's system in order to save time for searching a particular type or category of item and further to provide the most relevance information based on user's selection.

As to claim 30, Boyden does not explicitly teach the claimed limitations "searches a database of reference listing data to locate at least one similar listing; presents the at least one similar listing to the user; monitors user selection of a similar listing; retrieves selected listing data associated with the similar listing to generate the listing".

Linden teaches the claimed limitations:

"searches a database of reference listing data to locate at least one similar listing" as to generate a set of recommendations for a given user, the service retrieves from the table the similar items lists corresponding to items already known to be of interest to the user, and then appropriately combines these lists to generate a list of recommended items. The above information shows that the table is searched for retrieving the similar items lists corresponding to items already known to be of interest to the user. The set of recommendations is represented as at least one similar listing (col. 3, lines 7-10);

"presents the at least one similar listing to the user" as displaying the a set of recommendations to a user (fig. 6);

"monitors user selection of a similar listing" as the user can select a link associated with one of the recommended items to view the product information page for that item. The above information shows that user selection is monitored; thus the user can view the product information page for that item (col. 15, lines 53-57);

"retrieves selected listing data associated with the similar listing to generate the listing" as the user can select a link associated with one of the recommended items to view the product information page for that item. The above information shows the product information is retrieved to generate the page. The product information is associated with the recommended items. The above information shows that user's selection is monitored; thus the user can view the product information page for that item. The product information page is represented as the listing (col. 15, lines 53-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Linden's teaching of generating a set of recommendations for a given user by retrieving from the table the similar items lists corresponding to items already known to be of interest to the user, displaying the set of recommendations and select a link associated with one of the recommended items to view the product information page for that item and selecting a link associated with one of the recommended items to view the product information page for that item to Boyden's system in order to save time for searching a particular type or category of item and further to provide the most relevance information based on user's selection.

7.   Claims 10, 22 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US2003/0036964 A1) in view of Maze et al (or hereinafter "Maze") (US 6216264).

As to claim 10, Boyden does not teach the claimed limitation "wherein the listing identification data is one of a movie title and UPC code, the method including retrieving listing data in the form of details on the movie". Maze teaches movie title and retrieving details of the movie on a form 320 as shown in fig. 3 (col. 3, lines 10-20; col. 2, lines 53-54).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Maze's teaching of movie title and retrieving details of the movie on a form 320 to Boyden's system in order to allow a user to save time

searching/retrieving a particular music and further to prevent producing query results that contain relatively large number of irrelevant movies.

As to claim 22, Boyden does not teach the claimed limitation "wherein the listing identification data is one of a movie title and UPC code, and the listing data includes details on the movie". Maze teaches movie title and retrieving details of the movie on a form 320 as shown in fig. 3 (col. 3, lines 10-20; col. 2, lines 53-54).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Maze's teaching of movie title and retrieving details of the movie on a form 320 to Boyden's system in order to allow a user to save time searching/retrieving a particular music and further to prevent producing query results that contain relatively large number of irrelevant movie.

As to claim 32, Boyden does not teach the claimed limitation "wherein the listing identification data is one of a movie title and UPC code, the system retrieves the listing data in the form of details on the movie". Maze teaches movie title and retrieving details of the movie on a form 320 as shown in fig. 3 (col. 3, lines 10-20; col. 2, lines 53-54).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Maze's teaching of movie title and retrieving details of the movie on a form 320 to Boyden's system in order to allow a user to save time searching/retrieving a particular music and further to prevent producing query results that contain relatively large number of irrelevant movies.

8.   Claims 11, 12, 33 and 34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Boyden et al (or hereinafter "Boyden") (US2003/0036964 A1) in view

of Ortega et al (or hereinafter "Ortega") (US 6144958).

As to claim 11, Boyden does not explicitly teach the claimed limitation "wherein

the listing identification data is one of a book title and UPC code, the method including

retrieving listing data in the form of details on the book". Ortega teaches allow a user to

search book item based on book titles. Fig. 2 illustrates the general format of a search

book page that can be used to search the bibliographic database for book titles. The

page includes author, title and subject files. The search book page is represented as a

form of details on the book (col. 3, lines 53-61; col. 4, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Ortega's teaching of allow a user to search item based

book title and to access a search book page to search for author, title and label fields to

Boyden's system to allow a user to save time searching/retrieving a particular book and

further to prevent to produce query results that contain relatively large number of

irrelevant books.

As to claim 12, Boyden does not explicitly teach the claimed limitation "wherein

the listing identification data is one of a music title and UPC code, the method including

retrieving the listing data in the form of details on the music". Ortega teaches allowing a

user to search music based on music title. Also, a user can access a music search

page to search for music title using the artist, title and label fields. The search music

page is represented as the form of details on the music (col. 3, lines 53-61; col. 4, lines

1-10).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Ortega's teaching of allow a user to search item based

music titles and to access a search music page to search for music title using the artist,

title and label fields to Boyden's system to allow a user to save time searching/retrieving

a particular music and further to prevent to produce query results that contain relatively

large number of irrelevant music.

As to claim 33, Boyden does not explicitly teach the claimed limitation "wherein

the listing identification data is one of a book title and UPC code, the system retrieves

the listing data in the form of details on the book". Ortega teaches allow a user to search

book item based on book titles. Fig. 2 illustrates the general format of a search book

page that can be used to search the bibliographic database for book titles. The page

includes author, title and subject files. The search book page is represented as a form

of details on the book (col. 3, lines 53-61; col. 4, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Ortega's teaching of allow a user to search item based

book title and to access a search book page to search for author, title and label fields to

Boyden's system to allow a user to save time searching/retrieving a particular book and

further to prevent to produce query results that contain relatively large number of irrelevant books.

As to claim 34, Boyden does not explicitly teach the claimed limitation "wherein the listing identification data is one of a music title and UPC code, the system retrieves the listing data in the form of details on the music". Ortega teaches allowing a user to search music based on music title. Also, a user can access a music search page to search for music title using the artist, title and label fields. The search music page is represented as the form of details on the music (col. 3, lines 53-61; col. 4, lines 1-10).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based music titles and to access a search music page to search for music title using the artist, title and label fields to Boyden's system to allow a user to save time searching/retrieving a particular music and further to prevent to produce query results that contain relatively large number of irrelevant music.

9.   Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyden et al (or hereinafter "Boyden") (US2003/0036964 A1) in view of Bezos et al (or hereinafter "Bezos") (US 6029141).

As to claim 36, Boyden does not explicitly disclose the claimed limitation "the offering includes a fixed-price offering". Bezos teaches a fixed-price offering for good is provided to a user (fig. 10b).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bezos' s teaching of teaches a fixed-price offering for good is provided to a user to Boyden's system in order to provide an electronic commerce solution by which preventing a user to negotiate price for a product.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Jannink et al (US 6697800) discloses a method of searching and providing a list of

similar items to a user and then allowing a user to select one of the similar items for

defining an additional searching (col. 10, lines 50-55). This subject matter is relevant for

claims 8, 20 and 30.

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cam Y T Truong
Examiner
Art Unit 2162
1/3/2005